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ABSTRACT

An intense interest and concern for morality has emerged among professionals in training and development, as well as in the other professions. While there are some professionals who blatantly abuse their responsibilities to clients, most professionals make ethical errors because of some basic misunderstandings, such as considering moral judgments merely matters of opinion, failing to attend to moral considerations for psychological reasons, or depending too strictly on professional codes for specific direction in moral matters. A look at typical situations faced by trainers and consultants suggests that moral questions vary in complexity and that turning to colleagues for advice in making some decisions is wise. While not necessarily unethical in themselves, the poorly thought-out attitudes of some professionals toward their responsibilities to clients can lead to several identifiable types of unethical behavior. Analysis and discussion of such situations and behaviors among themselves can help professionals maintain moral awareness. (Author/PGD)

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ETHICS AND PROFESSIONAL TRAINERS

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ETHICS AND PROFESSIONAL TRAINERS

ABSTRACT

An intense interest and concern for morality has emerged among professionals in training and development, as well as the other professions. While there are some professionals who blatantly abuse their responsibilities to clients, most professionals slip-up in ethical decision-making because of some basic misunderstandings, such as: 1) considering moral judgments merely to be a matter of opinion, 2) psychological nonattending to moral considerations, and 3) overdependence on professional codes for specific directions in moral matters. Some situations and behaviors involving moral considerations are presented as a framework for discussion through which moral judgments are put in perspective.

* * * *

INTRODUCTION

The following dilemmas are typical of those moral choices faced by professionals in training and development:

> A Consultant/Trainer (C/T) knows that a potential client can obtain a like service elsewhere at a far lower cost but declines to share this information. Is the C/T acting ethically?

A C/T responds to a proposal knowing that a key person, cited as a member of the training team, is unavailable to fill the assignment. Is the C/T behaving ethically?

Make a mental note of your judgment about these examples before continuing. We will return later for a discussion of the "right" answers. For the moment, simply consider them among the many instances where moral considerations enter the complex decisions of professional trainers. While professional trainers have always acknowledged the ethical dimension of their practice, there is a special emphasis placed upon it in contemporary discussion.

The recent surge of concern for professional morality has been remarkable. In addition to the proliferation of journal articles, books, courses and conferences on the topic, a number of centers for professional ethics have emerged. To ensure continuous social concern for professional morality, institutions have been founded such as the Center for Organizational Ethics in Washington, D.C., and the Institute for Ethics and the Life Sciences in New York.

PROFESSIONAL MORALITY

Initially, one would think that professionals have just discovered the moral dimension to their professional policy and personal decisions. Professionals, particularly those who work so directly with human well-being, such as those involved in training and development, have always realized that they have moral obligations to their clients, colleagues, and the larger community.

The present intense interest in professional morality is premised on the realization that despite the existence of professional ethical standards, legislation, and personal conviction, there is a prevalent and substantial amount of professional unethical conduct. In law, medicine, and psychology,

there have been numerous recent books which catalogue and document abuses in those professions. Even though it might be difficult to accept, a similar book could easily be written about professionals in training and development. Misrepresentation of credentials, conflict of interest, incompetency, and breach of confidentiality, are not professional abuses limited to the lawyer, psychologist and physician.

Description and documentation of unethical practices in training and development is a painful, although a necessary first step toward improving the situation. Seeking explanations for the prevalent professional abuse must be undertaken prior to proposing solutions. A high proportion of professional misconduct is easily explained as part of the human condition so accurately explicated by Marchiavelli in the The Prince. There have always been and always will be some professionals in training and development, as in any other profession, who will blatantly and consistently break good faith promises solely for reasons of personal betterment, misrepresent professional competencies, and otherwise undermine the public trust. To rid the profession of these scoundrels is a matter of will and courage--the will and courage to "blow the whistle" on professional misconduct, to screen more carefully initiation into the profession, and to enforce stringently professional codes as well as legal statutes. That challenge is eternal.

A more complex and intellectually challenging task is to confront the ethical slip-ups and misunderstandings which enter into the judgments of those of general good faith, which presumably would characterize the majority of professionals in training and development. There are at least three basic attitudes and misunderstandings that account for a professional's slipping up in the area of ethical decision making: 1) considering moral judgments merely to be a matter of opinion or feeling, 2) psychologically nonattending

to moral considerations, and 3) an overdependence upon professional codes for specific directives in moral matters. We will look at each in turn as an explanatory factor for inadequate ethical judgment among training and development professionals who ordinarily act in good faith. The very act of examining these misunderstandings and attitudes is integral to any proposal for the improvement of professional ethical decision making.

MAKING MORAL JUDGMENTS

The first way to err in ethical decision-making is to consider moral judgments merely as matters of personal opinion or feeling. This attitude facilitates an easy rationalization of one's conduct. If morality is exclusively a matter of personal preference, then whatever seems appropriate to the professional is justifiable; and there is nothing to be gained from seeking counsel about the matter. While some professionals sincerely hold the position that moral judgments are merely matters of personal preference and opinion, this attitude contradicts the wisdom drawn from common experience. There is almost complete unanimity among the reasoning public, and professionals in particular, that trainers should not coerce clients, nor provide a skewed evaluation report to curry favor with the client.

It is true that it is not always easy to make definitive moral judgments about complex matters, such as whether substantive conflict of interest exists in a specific situation. But applying psychological or sociological theory to concrete situations is no less difficult. Just as in other aspects of professional life, there are "hard" and "easy" cases of moral judgment. Because informed opinion differs about the hard cases this does not reduce all moral judgments to expressions of personal preference or opinion. It is more reasonable for the professional trainer to assume that objectivity is possible in making moral judgments. Even in complex matters where certitude

eludes all of us, a greater degree of impartiality can be attained by discussing the moral issue with others. Many practices of abusing client-provided information could have been avoided, for example, if the professional trainer consulted other informed and concerned persons before acting.

PSYCHOLOGICAL INATTENTIVENESS

A second attitude which accounts for errors in ethical decision making is psychological inattentiveness--the mental state of simply not attending to the ethical dimension in moral issues. Frequently, trainers are so psychologically inundated with details in fulfilling their professional responsibilities, that moral considerations simply are not consciously attended to. The trainer fails to sufficiently individualize his services to the client's needs, uses materials developed by others with inadequate acknowledgement, or oversells his credentials. Such psychological inattentiveness is not wholly deliberate. There is some culpability, however, for it is characteristic of human nature to avoid reflecting about those matters which may persuade us to act contrary to our preferences.

OVERDEPENDENCE UPON ETHICAL CODES

There is yet a third attitude which accounts for the trainer not making the most appropriate moral decisions. This is a simplistic overdependence upon professional codes of ethics, not unlike one developed by the American Society for Training and Development. Professional codes can and ought to provide guidelines for professional conduct. However, professional codes have inherent characteristics which make simplistic dependence upon them a moral liability.

First, even the most comprehensive professional code is necessarily abstract, ambiguous, and in need of interpretation. For example, on the vital issue of privacy and confidentiality, the ASTD "Code of Ethics"

states:

> [The professional] shall maintain confidences and keep promises made to ensure that confidentiality and integrity are preserved. When professional purposes or law require otherwise, parties agree to inform all others involved of any action to be taken cortrary to prior agreements or understanding.

The first sentence of the principle seems to assert an absolute prescription of confidentiality, but the second sentence makes the principle ambiguous and in need of independent interpretation. The principle does not suggest what matters should be kept confidential, nor does it indicate what "professional purposes" legitimately contravene the principle of confidentiality. This is not to fault the ASTD code, although this principle could more comprehensively and clearly treat the important issue of confidentiality. Even an improved statement would, however, still leave some ambiguity and wide latitude for interpretation.

In addition, professional codes typically omit certain kinds of moral issues from their purview. The omission is either by design or as result of professions moving into previously uncharted areas of service. The ASTD code does not address itself to the issues of "de bono" services, advertising, and property rights of clients among other issues. Because of these characteristics inherent to professional codes, the trainer cannot simplistically depend upon them for detailed guidance in moral concerns.

OPPORTUNITIES FOR IMPROVEMENT

None of these attitudes is unchangeable. For those professional trainers of good faith, the most important step is to reassert the focal importance of moral ethical concerns in professional service. Just as in other professions, the ASTD might institutionalize the concern for professional morality through promoting conferences, books, journal articles

(such as this one), and a continuous review of its professional code. Through significant discussion with colleagues in a public forum, the professional trainer can strive for objectivity, keep a heightened sensitivity to moral concerns, and responsibly apply the gudelines of a professional code to specific situations.

ETHICAL SITUATIONS

At the outset, you were asked to make a judgment about two situations involving moral considerations. Those situations are included here in a selected group which might easily evoke ethical dilemmas for training professionals. When discussed openly with colleagues, these dilemmas might elicit reflections and impartial judgments which tend to keep moral concerns in proper perspective.

Check whether or not you consider the described behavior to be ethically appropriate.

	Appropriate	Inappropriate
Situation #1		
A Consultant/Trainer (C/T) knows that a prospective client can procure a like service at a far lower cost but declines to inform the client	____	____
Situation #2		
A C/T responds to a proposal knowing that a key person, cited as member of the training team, is unable to fill the assignment	____	____
Situation #3		
A C/T, currently overbooked, arbitrarily raises his time charges to eliminate certain potential clients	____	____
Situation #4		
A C/T incorporates pre-delivery time and expense charges into the training contract	____	____

	Appropriate	Inappropriate
Situation #5 A C/T "certificates" other trainers without subsequent systematic monitoring or quality control	____	____
Situation #6 A C/T "volunteers" to cut a previously agreed upon billing rate to freeze-out a competitor	____	____
Situation #7 A C/T provides a "finder's fee" to a colleague in appreciation for a referral leading to a contract	____	____
Situation #8 A C/T lists previous clients on a brochure without first obtaining written permissions	____	____
Situation #9 A C/T, without client authorization, grants a public interview regarding the assignment	____	____
Situation #10 A C/T does not immediately report to a client illegal practices discovered while on assignment with the client	____	____

DISCUSSION

You probably had little difficulty in making ethical judgments about most of these situations, which substantiates the claim made earlier that there is a moral consensus about most moral issues. "Although there is no universal code to which all consultants pledge, basic understandings exist regarding appropriate behavior with their clients."[1] A review of consulting

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[1]Maidment, Robert. "How to Tell for Yourself Whether that Consultant You're Considering is Solomon or a Snake Oil Salesman." American School Board Journal, June, 1977, p. 34.

codes and prevailing practices suggests that only Situation 4 is ethically appropriate. Situations 3 and 10 are more perplexing than the others. There are "hard cases" in ethics as there are in the law. A careful weighing of the facts in the light of ethical norms can at least make the decisions more reasonable, if not justified with certitude.

While most professionals in training and development are of good faith in ethical matters, we can all cite individuals who are caricatures of moral insensitivity. Identifying these caricature types is worthwhile as a means to guide our own conduct.

A FAKER'S DOZEN

Twelve consultant/trainer behaviors which illustrate a few basic ethical principles can be readily identified and discussed. Following each of these consultant-trainers you'd rather never know is an appropriate ethical canon. Those ethical principles within quotations are from the ASTD Code of Ethics.

1) THE BOILERPLATER (What you get is what everybody else gets)
A Consultant/Trainer (C/T) can lead a client to believe that the services provided are finely tuned to client needs, but in reality the C/T trots out a packaged format or a pre-arranged analysis. Here, the C/T is less than ethical. (The C/T "shall participate in training and development activities which meet the defined needs of the individual client, organization and/or employer.")

2) THE FANCY FOOTWORKER (What you seem to get seems to be what you seem to want) Some C/T's favor kinship to choreographers or animal trainers. Their dog-and-pony show routines delight rather than deliver. Clients are deluded and short-changed by the C/T's ability to keep the troops happy. Although charisma can add to a C/T's effectiveness, it cannot

displace technical and/or analytical skills. (A C/T "shall recognize that establishment of competency requires a) knowledge and skill which is appropriate to a stated field in human resources development, and b) contribution to the body of professional knowledge maintained and known to the field.")

3) THE FOGGER (What you get is not only obtuse, it's also hard to see through) In all training endeavors simple, direct, and clear messages are expected. Apparently many C/T's believe that sound travels faster than light. When pedantry runs rampant, training effectiveness usually diminishes. As William James noted, "If you can't explain what you're doing to an eight year old child you're probably a charlatan." The fogger is not only revealing a language inadequacy, but he/she is also restricting a learning opportunity for the listener. (The C/T "shall encourage, foster, and support the concept of self-education and development of the individual as a basis for effectively educated, well-informed and productive persons.")

4) THE RATE BREAKER (What you get is costing you more)
There are many ploys used by some C/T's to gain an unfair pricing advantage. Cutting a previously agreed upon billing rate to "freeze out" a competitor, negotiating higher billing rates after a contract is signed, and charging for services not actually performed are a few examples of rate breaking. Ultimately, these and similar tactics cause clients to lessen their confidence in all consultants. (The C/T exercises care in setting appropriate billing rates to assure the client is aware, in advance, of how time and expense charges are determined, and further, to assure a fair billing for services rendered.

5) THE BROTHER'S KEEPER (What you get is a member of the family)

Occasionally, consultants and clients collude in the contracting process. The "wired" agreement which precludes open and fair competition enables new or continuing relationships to become family members. This practice shutters out more effective interventions and, worse, erodes the C/T's most precious commodity--objectivity. (The C/T must carefully and consistently avoid practices that might impinge upon his/her objectivity as an external agent.)

6) THE WHEEL INVENTOR (What you get slower is costing your more)

The trainer who thoughlessly runs groups through processes already mastered or the consultant who carelessly tracks his clients through studies previously performed is guilty of an ethical breech. The meter runs, the costs rise, the client pays, and the C/T collects. (The C/T should perform all client work in an efficient, effective, and economical manner.)

7) THE POLITICIAN (What you get more of is less)

When a C/T promises to deliver a report or training package which assures a panacea, but when more objectively viewed suggests unrealistic expectations, the law or caveat emptor must prevail. Some C/T's in their eagerness to obtain contracts oversell their skills. A consultant accepts only work that he/she is professionally qualified to perform. There is absolutely no compromising on this most basic consulting ethic. (The C/T "shall not misrepresent his or her areas of professional training or competency in order to get work, or for any other reason.")

8) THE PHANTOM (What you get is somebody else)

One legitimate client expectation is to know who is going to do the work. Some clients, however, are surprised when the C/T who shows is not the articulate and personable representative who sold the contract.

He may be wearing his firm's costume, but his abilities were masked. Sending in an untested and/or uninformed trainer is another example of misrepresentation. The practice isn't limited to larger firms. The successful entrepreneur often fails in multiplying his expertise. His clones are inferior. The C/T "in working with any subject matter or technology in which the trainer is not seasoned, the trainer should make it clear to the client or supervisor that this is a new area of learning for the individual.")

9) THE CELEBRITY (What you get is a once was)

No question about it, some C/T's have superstar credentials. Such individuals are in demand as clients become involved in the game of the name. A few celebrities, however, overextend their talents, rest upon earlier evaluations, or perform identical acts for all occasions. And once more the client is shortchanged. Even more devasting than the brazenness to boilerplate is the refusal to renew. A C/T has an obligation not only to repeat successful ventures, but also to advance the art in process. (The C/T "shall maintain a professional attitude and keep abreast of pertinent new knowledge in the field of training and development.")

10) THE ORACLE (What you get as delivery is really deliverance)

Some C/T's would be talented "dial-a-prayer" operators because they have a flair for instant sermons. The trouble with the "Thou shoulds" is that impreachments are easily ignored. There are precious few instant miracles in the training and development field. Most clients are wary of C/T's with self-imposed solutions. Tellers are for banks. (The C/T "shall encourage, foster and support the concept of self-education and development of the individual as a basis for effectively

educated, well-informed and productive persons.")

11) THE SIPHONER (What you get is stolen)

As a participant in training sessions perhaps you've noted that similar or even identical materials are used. Frequently, however, the sources remain uncited. Recently, we observed a trainer "discover" Force-Field Analysis as if it were his process! Permission to reproduce most material for training use is generally obtainable. Appropriately citing researchers actually reinforces the trainer's presentation. To advance the state of their art, C/T's must not only be aware of their material sources, but they must also accurately acknowledge them in practice. (The C/T "shall maintain a professional attitude and keep abreast of pertinent new knowledge in the field of training and development.")

12) THE RABBIT (What you get you get quickly)

A phrase used by many C/T's is "client handling" which describes the set of consultant behaviors designed to facilitate all interpersonal relationships between C/T's and clients. Client handling is often time consuming and often not time chargeable. For example, a client may need help in effectively using his own consultant/trainer. This counseling function is likely to ease any current client-consultant conflicts and might possibly prepare the way for additional contracting. With an insensitive, gun-and-run approach everyone loses. Alacrity and quality are seldom bedfellow traits. (A C/T shall accept only work that clearly provides both the time and the opportunity to benefit a client.)

A FINAL NOTE

Hopefully, the presentation of the situations and the descriptions of unethical types has provided a framework in which professional trainers can continue the discussion about moral concerns. By keeping the conversation

going about consultant/trainer relationships we lessen the likelihood of becoming entangled in a moral breech, engulfed in a ethical dilemma, or enjoined in a legal action.